

JEFFREY S. CHIESA

Attorney General of New Jersey
Attorney for Petitioner
State of New Jersey
Department of Law and Public Safety
Division of Gaming Enforcement
1300 Atlantic Avenue
Atlantic City, New Jersey 08401

By: Brian C. Bisciegia
Deputy Attorney General
(609) 317-6218

STATE OF NEW JERSEY
OFFICE OF THE ATTORNEY GENERAL
DIVISION OF GAMING ENFORCEMENT
DOCKET NO. 12-0379-EL

STATE OF NEW JERSEY, DEPARTMENT)	
OF LAW AND PUBLIC SAFETY,)	
DIVISION OF GAMING ENFORCEMENT,)	
)	
Petitioner,)	Civil Action
)	
v.)	PETITION FOR
)	PLACEMENT ON
ELADIO GONZALES,)	EXCLUSION LIST
Respondent.)	
)	

Petitioner, State of New Jersey, Department of Law and Public Safety,
Division of Gaming Enforcement ("Division"), located at 1300 Atlantic Avenue, Atlantic City,
New Jersey, 08401 says:

1. Respondent, ELADIO GONZALES ("Gonzales"), is a resident of New
Jersey, having an address of [REDACTED]

2. N.J.A.C. 13:69G-1.3(a)3 provides, in pertinent, part for the exclusion

of:

any person who has been convicted of a criminal offense.... punishable by more than six months in prison and whose presence in a licensed casino establishment would be inimical to the interests of the State of New Jersey and of license gaming therein.

3. N.J.A.C. 13:69G-1.3(a)4 authorizes the exclusion of

any person whose presence in a licensed casino establishment would be inimical to the interest of the State of New Jersey or licensed gaming therein, including

iii Persons who pose a threat to the safety of the patrons or employee sof a casino licensee

iv. Persons with a documented history of conduct involving the undue disruption of the gaming operations of casino licensees

4. On November 15, 2011, Gonzales was charged in Atlantic County Accusation No. 11-11-02654-D with Fraudulent Use of a Credit Card, third degree, contrary to N.J.S.A. 2C:21-6h. See Exhibit "A", attached. Gonzales allegedly used a stolen credit card to make purchases at a supermarket. The credit card was stolen from a patron of Bally's Atlantic City. On December 16, 2011, upon his plea, Gonzales was convicted of this offense and sentenced to a 3 year probation term and, further, required to pay certain fines an fees. Gonzales was also ordered to stay out of Atlantic City casinos during his probation term. See Exhibit "B", attached.

5. On September 22, 2011, Gonzales was charged in Atlantic County Indictment No. 11-09-2307-DCP with Theft from the Person, third degree, contrary to N.J.S.A. 2C:20-3. See Exhibit "C", attached. Gonzales allegedly stole a purse from a patron of Caesar's Atlantic City. On December 16, 2011, upon his plea, Gonzales was convicted of this offense and sentenced to a 3 year probation term and, further, required to pay certain fines and fees. Gonzales was also ordered to stay out of Atlantic City casinos during his probation term. See Exhibit "D", attached.

6. Based on information contained in Paragraphs 1 through 5 of this petition, Gonzales is a person who has been convicted of a criminal offense punishable by more than six months in prison and whose presence in a licensed casino establishment would be inimical to the interests of the State of New Jersey and of license gaming therein and should be excluded from casino premises pursuant to N.J.A.C. 13:69G-1.3(a)3.

6. Based on information contained in Paragraphs 1 through 5 of this petition, Gonzales is a person whose presence in a licensed casino establishment would be inimical to the interests of the State of New Jersey or licensed gaming therein and should be excluded from casino premises pursuant to N.J.A.C. 13:69G-1.3(a)4.

WHEREFORE, Petitioner demands the following relief against Respondent, Eladio Gonzales:

A. Judgment that the Respondent, Eladio Gonzales, is a person who has been convicted of an offense punishable by more than 6 months in jail and whose presence in a licensed casino establishment would be inimical to the interest of the State of New Jersey or of licensed gaming therein, within the meaning of N.J.A.C.13:69G-1.3(a)3;

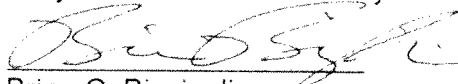
B. Judgment that the Respondent, Eladio Gonzales, is a person whose presence in a licensed casino establishment would be inimical to the interest of the State of New Jersey or of licensed gaming therein, within the meaning of N.J.A.C.13:69G-1.3(a)4;

C. Judgment entering a Final Order placing Respondent, Eladio Gonzales, on the exclusion list pursuant to N.J.S.A. 5:12-71(l) and N.J.A.C.13:69G-1.3(a)3 and 13:69G-1.3(a)4; and,

D. Judgment for such other and further relief as the Director may deem just and appropriate under the circumstances.

Respectfully submitted,

JEFFREY S. CHIESA
Attorney General of New Jersey

By: 
Brian C. Bisciegia
Deputy Attorney General

Dated 6/18/12

PAULA DOW
ATTORNEY GENERAL OF NEW JERSEY
BY: KERRY DIJOSEPH, DEPUTY ATTORNEY GENERAL
CASINO PROSECUTIONS BUREAU
1300 ATLANTIC AVENUE
ATLANTIC CITY, NEW JERSEY 08401
(609) 441-3377

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - ATLANTIC COUNTY
PROS. NO. 11-2303

STATE OF NEW JERSEY,)

V.)

ELADIO GONZALEZ)

ACCUSATION NO. 11-11-02654 D

having in writing waived indictment by Grand Jury on one count of

FRAUDULENT USE OF A CREDIT CARD, THIRD DEGREE

and requested to be tried upon these charges and said request having been granted:

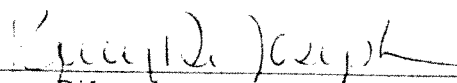
Attorney General of the State of New Jersey, Paula Dow, by Deputy Attorney General
Kerry DiJoseph for the State alleges that:

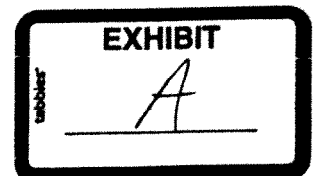
COUNT ONE

(Fraudulent Use of a Credit Card - Third Degree)

ELADIO GONZALEZ

on or about April 24, 2011, at the City of Atlantic City, in the County of Atlantic, and within the
jurisdiction of this Court, did knowingly use a lost, stolen or fraudulently obtained credit card,
to wit, a PNC Bank Visa credit card issued to Robert Supper to obtained money or goods from
Pathmark, contrary to the provisions of N.J.S.A. 2C:21-6h, and against the peace of this State,
the government and dignity of the same.


Kerry DiJoseph
Deputy Attorney General
Casino Prosecutions Bureau





Judgment of Conviction

Superior Court of New Jersey, ATLANTIC County

State of New Jersey

v.

Last Name

GONZALES

First Name

ELADIO

Middle Name

Also Known As

ALFREDO L TROCHE

Date of Birth

08/21/1942

SBI Number

[REDACTED]

Date(s) of Offense

04/24/2011

Date of Arrest

05/20/2011

PROMIS Number

[REDACTED]

Date Ind / Acc / Complt Filed

11/15/2011

Original Plea

☐ Not Guilty

☒ Guilty

Date of Original Plea

11/15/2011

Adjudication By



Guilty Plea



Jury Trial Verdict



Non-Jury Trial Verdict



Dismissed / Acquitted

Date: 11/15/2011

Original Charges

Ind / Acc / Complt
11-11-02654-A

Count
1

Description
FRAUDULENT USE OF CREDIT CARD

Statute
2C:21-6H

Degree
3

Final Charges

Ind / Acc / Complt
11-11-02654-A

Count
1

Description
FRAUDULENT USE OF CREDIT CARD

Statute
2C:21-6H

Degree
3

Sentencing Statement

It is, therefore, on 12/16/2011 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:

CT. 1: PROBATION 3 YEARS, CONCURRENT WITH I-11-09-2307,
ALL MONIES CONSECUTIVE AND PAYABLE THRU PROBATION, RANDOM URINE SCREENS, FULL TIME EMPLOYMENT,
PAY RESTITUTION AT \$30.00 A MONTH BEGINNING 2-1-12, STAY OUT OF ATLANTIC CITY CASINOS DURING PERIOD
OF PROBATION, REMAINING COUNTS AND CHARGES DISMISSED.

☐ It is further ORDERED that the sheriff deliver the defendant to the appropriate correctional authority.

Total Custodial Term

000 Years 00 Months 000 Days

Institution Name

Total Probation Term

03 Years 00 Months

EXHIBIT

B

DEDR (N.J.S.A. 2C:35-15 and 2C:35-5.11)

A mandatory Drug Enforcement and Demand Reduction (DEDR) penalty is imposed for each count. (Write in number of counts for each degree.)

☐ DEDR penalty reduction granted (N.J.S.A. 2C:35-15a(2))

	Standard	Doubled
1st Degree	@ \$	@ \$
2nd Degree	@ \$	@ \$
3rd Degree	@ \$	@ \$
4th Degree	@ \$	@ \$
DP or	@ \$	@ \$
Petty DP	@ \$	@ \$

Total DEDR Penalty \$

☐ The court further ORDERS that collection of the DEDR penalty be suspended upon defendant's entry into a residential drug program for the term of the program. (N.J.S.A. 2C:35-15e)

Forensic Laboratory Fee (N.J.S.A. 2C:35-20)

Offenses @ \$

Total Lab Fee

\$

VCCA Assessment (N.J.S.A. 2C:43-3.1)

Counts	Number	Amount
1	1 @	\$ 50.00
	@	\$
	@	\$
	@	\$
	@	\$

Total VCCA Assessment \$ 50.00

Vehicle Theft / Unlawful Taking Penalty (N.J.S.A. 2C:20-2.1)

Offense

Mandatory Penalty

\$

Other Fees and Penalties

Law Enforcement Officers Training and Equipment Fund Penalty (N.J.S.A. 2C:43-3.3)

☐

\$

Safe Neighborhood Services Fund Assessment (N.J.S.A. 2C:43-3.2)

☒

1 Offenses @ \$ 75.00

Total: \$ 75.00

Probation Supervision Fee (N.J.S.A. 2C:45-1d)

☐

\$

Statewide Sexual Assault Nurse Examiner Program Penalty (N.J.S.A. 2C:43-3.6)

☐

Offenses @ \$

Total \$

Transaction Fee (N.J.S.A. 2C:46-1.1)

☐

Certain Sexual Offenders Surcharge (N.J.S.A. 2C:43-3.7)

☐

\$

Domestic Violence Offender Surcharge (N.J.S.A. 2C:25-29.4)

☐

\$

Sex Crime Victim Treatment Fund Penalty (N.J.S.A. 2C:14-10)

☐

\$

Fine

\$

Restitution

\$ 241.00

Total Financial Obligation

\$ 366.00

Details

Additional Conditions

- ☒ The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided (N.J.S.A. 53:1-20.20).
- ☐ The defendant is hereby sentenced to community supervision for life. (If offense occurred before 1/14/04) (N.J.S.A. 2C:43-6.4)
- ☐ The defendant is hereby sentenced to parole supervision for life. (If offense occurred on or after 1/14/04) (N.J.S.A. 2C:43-6.4).
- ☐ The defendant is hereby ordered to serve a _____ year term of parole supervision, which term shall begin as soon as defendant completes the sentence of incarceration. (N.J.S.A. 2C:43-7.2).
- ☐ The court imposes a restraining order pursuant to DORA. (N.J.S.A. 2C:35-5.7(h)). Restraining Order expires _____

Findings Per N.J.S.A. 2C:47-3

- ☐ The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior.
- ☐ The court finds that the defendant is amenable to sex offender treatment.
- ☐ The court finds that the defendant is willing to participate in sex offender treatment.

License Suspension

- ☐ CDS / Paraphernalia (N.J.S.A. 2C:35-16) ☐ Waived
- ☐ Auto Theft / Unlawful Taking (N.J.S.A. 2C:20-2.1)
- ☐ Eluding (N.J.S.A. 2C:29-2)
- ☐ Other _____

Number of Months

☐ Non-resident driving privileges revoked

Start Date

End Date

Details

Driver's License Number

Jurisdiction

If the court is unable to collect the license, complete the following Defendant's Address

City

State

Zip

Date of Birth

Sex

☐ M ☐ F

Eye Color

Time Credits

Time Spent in Custody

R. 3:21-8

Date: From - To
05/20/2011 - 05/20/2011

Total Number of Days 1

Gap Time Spent in Custody

N.J.S.A. 2C:44-5b(2)

Date: From - To

Total Number of Days

Rosado Time

Date: From - To

Total Number of Days

Prior Service Credit

Date: From - To

Total Number of Days

Statement of Reasons - Include all applicable aggravating and mitigating factors

These were negotiated pleas between the Prosecutor and defendant. There is therefore a presumption of reasonableness. It appears appropriate under all the facts and circumstances and, in the interest of justice, the Court will impose the recommended sentence. Defendant is 69 years old. As to Indictment No. 11-09-2307, defendant has pled guilty to Count 1, theft by unlawful taking, a third degree offense. As to Indictment No. 11-11-2654, defendant has pled guilty to Count 1, fraudulent use of a credit card, a third degree offense. The defendants adult criminal history revealed 7 arrests/complaints including the present offense, with 3 prior County Court convictions out of New York. The defendant has never been criminally convicted in New Jersey. As to both indictments, Aggravating Factors 3, 6 and 9 apply. Mitigating Factor 6 applies if restitution is paid and 10 applies. The Aggravating Factors outweigh the Aggravating Factors.

Form Prepared By

DEBORAH HUNTER

Preparer Telephone Number

(609) 909-8205

Attorney for Defendant at Sentencing

JOHN BJORKLUND

Public Defender

☒ Yes ☐ No

Prosecutor at Sentencing

KERRY L. DIJOSEPH

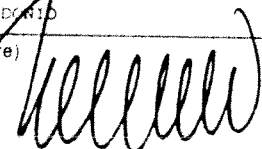
Deputy Attorney General

☒ Yes ☐ No

Judge at Sentencing

MICHAEL A. DEGIO

Judge (Signature)



Date

12/20/11

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL
COUNTY OF ATLANTIC

STATE OF NEW JERSEY,) ATLANTIC COUNTY GRAND JURY

v.)

Indictment No. 11-09-2301-022

ELADIO GONZALEZ)

Pros. No. 11-2301

**ORIGINAL
DO NOT
REMOVE
FROM FILE**

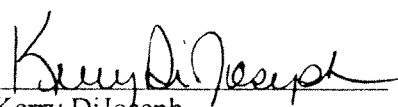
The Grand Jurors of the County of Atlantic, for the State of New Jersey, on their oaths, present that:

COUNT ONE


(Theft From the Person - Third Degree)

ELADIO GONZALEZ

on or about ^{December 12, 2010} ~~January 6, 2011~~, at the City of Atlantic City, in the County of Atlantic, and within the jurisdiction of this Court, did unlawfully take movable property from the person of Colleen Reese while on the premises of Caesars Casino, to wit, a purse and its contents, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3, and against the peace of this State, the government and dignity of the same.

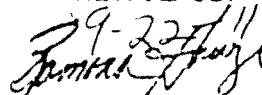

Kerry DiJoseph
Deputy Attorney General
Casino Prosecutions Bureau
Division of Criminal Justice

A TRUE BILL:


Foreperson _____ Date _____

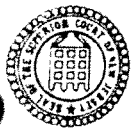
SEP 22 2011

REC'D & FILED
SUPERIOR COURT
NEW JERSEY

9-22-11

DEPUTY CLERK



DE
9/22/11



Judgment of Conviction

Superior Court of New Jersey, ATLANTIC County

State of New Jersey v.

Last Name

GONZALEZ

First Name

ELADIO

Middle Name

Also Known As

ALFREDO L TROCHE

Date of Birth

08/21/1942

SBI Number

Date(s) of Offense

12/12/2010

Date of Arrest

05/20/2011

PROMIS Number

Date Ind / Acc / Complt Filed

09/22/2011

Original Plea

☒ Not Guilty

☐ Guilty

Date of Original Plea

11/01/2011

Adjudication By

☒ Guilty Plea

☐ Jury Trial Verdict

☐ Non-Jury Trial Verdict

☐ Dismissed / Acquitted

Date: 11/15/2011

Original Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
11-09-02307-1	1	THEFT BY UNLAW TAKING	2C:20-3	3

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
11-09-02307-1	1	THEFT BY UNLAW TAKING	2C:20-3	3

Sentencing Statement

It is, therefore, on 12/16/2011 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:

CT. 1: PROBATION 3 YEARS
ALL MONIES PAYABLE THRU PROBATION, RANDOM URINE SCREENS, FULL TIME EMPLOYMENT,
PAY RESTITUTION AT \$30.00 A MONTH BEGINNING 2-1-12, STAY OUT OF ATLANTIC CITY CASINOS
DURING PERIOD OF PROBATION, REMAINING COUNTS AND CHARGES DISMISSED.

EXHIBIT

D

☐ It is further ORDERED that the sheriff deliver the defendant to the appropriate correctional authority

Total Custodial Term

00 Years 00 Months 00 Days

Institution Name

Total Probation Term

03 Years 00 Months

DEDR (N.J.S.A. 2C:35-15 and 2C:35-5.11)

A mandatory Drug Enforcement and Demand Reduction (DEDR) penalty is imposed for each count. (Write in number of counts for each degree.)

☐ DEDR penalty reduction granted (N.J.S.A. 2C:35-15a(2))

	Standard	Doubled
1st Degree	@ \$	@ \$
2nd Degree	@ \$	@ \$
3rd Degree	@ \$	@ \$
4th Degree	@ \$	@ \$
DP or	@ \$	@ \$
Petty DP	@ \$	@ \$

Total DEDR Penalty \$

☐ The court further ORDERS that collection of the DEDR penalty be suspended upon defendant's entry into a residential drug program for the term of the program. (N.J.S.A. 2C:35-15e)

Forensic Laboratory Fee (N.J.S.A. 2C:35-20)

Offenses @ \$

Total Lab Fee

\$

VCCA Assessment (N.J.S.A. 2C:43-3.1)

Counts	Number	Amount
1	1 @	\$ 50.00
	@	\$
	@	\$
	@	\$

Total VCCA Assessment \$ 50.00

Vehicle Theft / Unlawful Taking Penalty (N.J.S.A. 2C:20-2.1)

Offense

Mandatory Penalty

\$

Other Fees and Penalties

Law Enforcement Officers Training and Equipment Fund Penalty (N.J.S.A. 2C:43-3.3)

☒ \$ 30.00

Safe Neighborhood Services Fund Assessment (N.J.S.A. 2C:43-3.2)

☒ 1 Offenses @ \$ 75.00

Total: \$ 75.00

Probation Supervision Fee (N.J.S.A. 2C:45-1d)

☒ \$ 15.00

Statewide Sexual Assault Nurse Examiner Program Penalty (N.J.S.A. 2C:43-3.6)

☐ Offenses @ \$

Total \$

Transaction Fee (N.J.S.A. 2C:46-1.1)

☐

Certain Sexual Offenders Surcharge (N.J.S.A. 2C:43-3.7)

☐ \$

Domestic Violence Offender Surcharge (N.J.S.A. 2C:25-29.4)

☐ \$

Sex Crime Victim Treatment Fund Penalty (N.J.S.A. 2C:14-10)

☐ \$

Fine

\$

Restitution

\$ 484.00

Total Financial Obligation

\$ 639.00

Additional Conditions

☒ The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided (N.J.S.A. 53:1-20.20).

☐ The defendant is hereby sentenced to community supervision for life. (If offense occurred before 1/14/04) (N.J.S.A. 2C:43-6.4)

☐ The defendant is hereby sentenced to parole supervision for life. (If offense occurred on or after 1/14/04) (N.J.S.A. 2C:43-6.4).

☐ The defendant is hereby ordered to serve a _____ year term of parole supervision, which term shall begin as soon as defendant completes the sentence of incarceration. (N.J.S.A. 2C:43-7.2).

☐ The court imposes a restraining order pursuant to DORA. (N.J.S.A. 2C:35-5.7(h)). Restraining Order expires _____

Findings Per N.J.S.A. 2C:47-3

☐ The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior.

☐ The court finds that the defendant is amenable to sex offender treatment.

☐ The court finds that the defendant is willing to participate in sex offender treatment.

License Suspension

☐ CDS / Paraphernalia (N.J.S.A. 2C:35-16) ☐ Waived

☐ Auto Theft / Unlawful Taking (N.J.S.A. 2C:20-2.1)

☐ Eluding (N.J.S.A. 2C:29-2)

☐ Other _____

Number of Months

☐ Non-resident driving privileges revoked

Start Date

End Date

Details

Driver's License Number

Jurisdiction

If the court is unable to collect the license, complete the following:
Defendant's Address

City

State

Zip

Date of Birth

Sex

☐ M ☐ F

Eye Color

Details

Time Credits

Time Spent in Custody

R. 3:21-8

Date: From - To
05/20/2011 - 05/20/2011

Gap Time Spent in Custody

N.J.S.A. 2C:44-5b(2)

Date: From - To

Total Number of Days

Rosado Time

Date: From - To

Total Number of Days

Prior Service Credit

Date: From - To

Total Number of Days

Total Number of Days 1

Statement of Reasons - Include all applicable aggravating and mitigating factors

These were negotiated pleas between the Prosecutor and defendant. There is therefore a presumption of reasonableness. It appears appropriate under all the facts and circumstances and, in the interest of justice, the Court will impose the recommended sentence. Defendant is 69 years old. As to Indictment No. 11-09-2307, defendant has pled guilty to Count 1, theft by unlawful taking, a third degree offense. As to Indictment No. 11-11-2654, defendant has pled guilty to Count 1, fraudulent use of a credit card, a third degree offense. The defendants adult criminal history revealed 7 arrests/complaints including the present offense, with 3 prior County Court convictions out of New York. The defendant has never been criminally convicted in New Jersey. As to both indictments, Aggravating Factors 3, 6 and 9 apply. Mitigating Factor 6 applies if restitution is paid and 10 applies. The Aggravating Factors outweigh the Aggravating Factors.

Form Prepared By

DEBORAH HUNTER

Preparer Telephone Number

(609) 909-9205

Attorney for Defendant at Sentencing

JOHN BJORKLUND

Public Defender

☒ Yes ☐ No

Prosecutor at Sentencing

MERRY L DIJOSEPH

Deputy Attorney General

☒ Yes ☐ No

Judge at Sentencing

MICHAEL A. MONIO

Judge (Signature)

Date